

# West Bountiful City Municipal Code

## Title 10 VEHICLES AND TRAFFIC

Chapters:

### **10.04 Traffic Code**

### **10.08 Load Restrictions**

### **10.12 Stopping, Standing and Parking**

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#### Chapter 10.04 TRAFFIC CODE

Sections:

10.04.010 State code adopted.

10.04.020 Violation of license provisions.

10.04.030 Unlawful to drive while license denied, suspended, disqualified, or revoked.

10.04.040 Requirements to operate commercial motor vehicle.

10.04.050 Vehicles to display designation of ownership--Exceptions.

10.04.060 Negligent collision.

10.04.070 Cutting through corners.

10.04.080 Use of dynamic braking devices prohibited.

#### **10.04.010 State code adopted.**

The following provisions of the Utah Code are adopted as ordinances of the city.

To the extent the city has the authority to punish violations pursuant to UCA 10-8-84, violations of these provisions shall be of the same classification as provided under state law. The following provisions are adopted by reference:

Utah Traffic Rules and Regulations, Chapter 6, Title 41, UCA. (Editorially amended during 2000 codification; Ord. 264-00 (part); prior code § 7-2-1(C))

#### **10.04.020 Violation of license provisions.**

It is unlawful for any person to commit any of the following acts:

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- A. To display or cause or permit to be displayed or to have in possession any operator's license knowing the same to be fictitious or to have been canceled, revoked, suspended or altered;
- B. To lend to, or knowingly permit the use of, by one not entitled thereto, any operator's license issued to the person so lending or permitting the use thereof;
- C. To display or to represent as one's own any operator's license not issued to the person so displaying the same;
- D. To fail or refuse to surrender to the Motor Vehicle Division upon demand, any operator's license which has been suspended, canceled or revoked as provided by law; or
- E. To use a false or fictitious name or give a false or fictitious address in any application for an operator's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.  
(Prior code § 7-5-5)

### **10.04.030 Unlawful to drive while license denied, suspended, disqualified, or revoked.**

Any person whose operator's license has been denied, suspended, disqualified or revoked as provided by law, and who shall operate any motor vehicle upon the streets of this city while such license is denied, suspended, disqualified or revoked, shall be guilty of a Class B misdemeanor. (Prior code § 7-5-6)

### **10.04.040 Requirements to operate commercial motor vehicle.**

- A. No person shall drive a commercial motor vehicle upon the streets of this city unless such person has been issued and is in immediate possession of:
  - 1. A commercial driver's license valid for the vehicle he or she is driving; or
  - 2. A valid commercial driver instruction permit and is accompanied by a person holding a valid commercial driver's license.
- B. No person shall drive a commercial motor vehicle while his privilege to drive a commercial vehicle is:
  - 1. Suspended, revoked or canceled;
  - 2. Subject to a disqualification; or
  - 3. Subject to an out-of-service order. (Prior code § 7-5-8)

### **10.04.050 Vehicles to display designation of ownership--Exceptions.**

All licensed motor vehicles owned and operated by any town, city, board of education, school district or other district, county, or other governmental subdivision or district, shall have displayed in a conspicuous place on both sides thereof a designation of the ownership of such motor vehicle, and such

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designation shall be kept clear and distinct and free from defacement, mutilation, grease and other obscuring matter so that it is plainly visible at all times; provided that this section shall not be construed to include motor vehicles used in investigative work when secrecy is essential or used by a town, city or county police or sheriff's department. (Prior code § 7-5-9)

### **10.04.060 Negligent collision.**

It is unlawful to operate a vehicle in an inattentive or negligent manner that will cause or permit the vehicle to collide with any other vehicle, person, object or to leave the roadway in such a manner that the vehicle being operated is either damaged or causes damage to any other vehicle, person, object or property. (Ord. 241-96 (part): prior code § 7-5-11)

### **10.04.070 Cutting through corners.**

No operator of a motor vehicle, motorcycle or vehicle of an kind, shall drive through any private property, or leave the road with the intent to avoid obedience to any traffic control device, or to cause annoyance or harassment to the property owner or his or her patrons. This law shall not apply to those persons stopping at business establishments to conduct legitimate trade. (Ord. 241-96 (part): prior code § 7-5-12)

### **10.04.080 Use of dynamic braking devices prohibited.**

A. Definition. A "dynamic braking device" (commonly referred to as a jacobs brake, engine brake or compression brake) means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

#### **B. Use Prohibited in Residential Areas.**

It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged within or adjacent to the residential areas of West Bountiful City.

Dynamic braking devices may be engaged in or adjacent to residential areas of West Bountiful only for the purpose to avoid immediate danger due to wheel brake failure.

#### **C. See Section 1.16.010 of this code. (Ord. 241-96 (part): prior code § 7-6)**

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## Chapter 10.08 LOAD RESTRICTIONS

### Sections:

10.08.010 Types of loads allowed on certain streets.

10.08.020 Vehicle load weight restrictions.

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10.08.030 Oversize vehicle and/or load restrictions.

10.08.040 Hauling garbage upon public streets.

### **10.08.010 Types of loads allowed on certain streets.**

A. It is unlawful for any person to transport, haul, drive, propel or convey, or cause to be transported, hauled, driven, propelled or conveyed on any vehicle or wagon any load or burden containing acids, corrosives, explosives, mopping or roofing tar, road asphalt and cut back, or gasoline, propane, butane, or other highly flammable liquids, materials, or substances over or upon any city streets, except the following:

1. Interstate Highway I-15;
2. Any street east of Interstate Highway I-15;
3. 800 West Street from 100 South to the south city limits; and
4. 1100 West Street from 500 South to the south city limits.

B. The restriction in subsection A of this section shall not apply to trucks or vehicles making deliveries of gasoline or similar motor vehicle fuels to service stations by means of the shortest traveled routes within the city, or of propane, butane or other heating fuels to customers or other users, also by the shortest traveled routes within the city. (Prior code § 7-5-1)

### **10.08.020 Vehicle load weight restrictions.**

A. It is unlawful for any person to transport, haul, drive, propel or convey, or cause to be transported, hauled, driven, propelled or conveyed on any vehicle or wagon any load or burden with a gross vehicle and load weight in excess of sixty-five thousand (65,000) pounds over or upon any of the streets within the corporate limits of West Bountiful, except the following:

1. Interstate Highway I-15;
2. Any street east of Interstate Highway I-15;
3. 800 West Street from 100 South to the south city limits;
4. 1100 West Street from 500 South to the south city limits;
5. Child Lane (640 West); and
6. Porter Lane (2200 North) east of its intersection with Child Lane.

B. It shall also be unlawful for the owner or lessee of any such motor vehicle or wagon, or for any other person responsible for transporting, hauling, driving, propelling or conveying such loads prohibited by this section, or for the owner of the load so transported to knowingly permit

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such loads to be conveyed over or upon any public streets or portions of public streets of West Bountiful City, other than those enumerated in subsection A of this section. (Prior code § 7-5-2)

### **10.08.030 Oversize vehicle and/or load restrictions.**

A. It is unlawful for any person to transport, haul, drive, propel or convey, or cause to be transported, hauled, driven, propelled or conveyed on any vehicle or wagon any load or burden of a size or weight exceeding the limitations provided by law, or any vehicle or vehicles which are not so constructed or equipped as required by law, and the maximum size and weight of vehicles so specified by the following dimensions without first obtaining an oversize and/or overweight permit and adhering to its restrictions regarding its movement upon city streets, except the following:

1. Interstate Highway I-15;
2. Any street east of Interstate Highway I-15;
3. 800 West Street from 100 South to the south city limits;
4. 1100 West Street from 500 South to the south city limits;
5. Child Lane (640 West); and
6. Porter Lane (2200 North) east of its intersection with Child Lane.

B. No vehicle shall exceed a total outside width, including any load thereon of eight feet, except farm tractors and other implements of husbandry. Highway construction equipment and fire-fighting apparatus shall be exempt from these provisions when used for the purpose of performing a function of maintenance, repair, or fire-fighting within the city.

C. No vehicle unladen or with load shall exceed a height of fourteen (14) feet when moving upon a city street without first obtaining a special permit.

D. No vehicle, or combination of vehicles, with load, excepting fire-fighting apparatus and commercial interstate moving company vehicles, shall exceed a length of forty-five (45) feet extreme overall dimensions, inclusive of front and rear bumpers.

E. No passenger vehicle shall carry any load beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fender on the right side thereof. (Prior code § 7-5-3)

### **10.08.040 Hauling garbage upon public streets.**

It is unlawful for any person to haul, convey or transport through or upon any public streets any garbage, ashes, market wastes, trade wastes, manure, night soil, loose paper, scrap lumber, excelsior, trees, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes, or any other materials in open trucks, open trailers, or other conveyances unless completely covered with a heavy

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tarp, canvass, plastic, cloth, or other material sufficient to secure the load and prevent the same, or any part thereof, from overhanging the sides, or falling from the vehicle or conveyance upon which it is being transported. Each vehicle must be covered with a heavy tarp, canvass, plastic, cloth, or other acceptable material at all times when the vehicle is being used for the collection of, or carrying, transporting, or hauling of garbage, manure, dead animals, refuse, and other materials hereinabove set forth upon the public streets within the city. (Prior code § 7-5-4)

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### Chapter 10.12 STOPPING, STANDING AND PARKING

#### Sections:

10.12.010 Parallel parking.

10.12.020 Angle parking.

10.12.030 Standing or parking vehicles--Restrictions and exceptions.

10.12.040 Parking not to obstruct traffic.

10.12.050 Stopping or parking on roadway.

10.12.060 Motor vehicle left unattended--Requirements.

10.12.070 Parked vehicle--Duty to display lights.

10.12.080 Parking for certain purposes prohibited.

10.12.090 All night parking prohibited.

10.12.100 Stopping or parking--Prohibited adjacent to schools, on narrow streets or near hazardous places.

10.12.110 Parking heavy duty vehicles in residential zones regulated.

10.12.120 Police officer authorized to move vehicle.

10.12.130 Evidence required on parking violation.

10.12.140 Violation--Penalty.

#### **10.12.010 Parallel parking.**

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the righthand wheels of the vehicle within

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twelve (12) inches of the right-hand curb or edge of the roadway, or as close as practicable to the right edge of the right shoulder, except as otherwise provided in this chapter. (Ord. 237-94 (part): prior code § 7-4-1)

### **10.12.020 Angle parking.**

Angle parking shall be permitted only upon those streets or parts of streets which have signs or traffic markings indicating that angle parking is permitted. No person shall park a vehicle other than between such traffic markings or at any angle to the curb or edge of the roadway other than that indicated by such sign or traffic markings. (Ord. 237-94 (part): prior code § 7-4-2)

### **10.12.030 Standing or parking vehicles--Restrictions and exceptions.\***

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

#### **A. Stop, stand or park a vehicle:**

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street,
2. On a sidewalk,
3. Within an intersection,
4. On a crosswalk,
5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings,
6. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic,
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel,
8. On any railroad tracks,
9. On any controlled-access highway,
10. In the area between roadways of a divided highway, including crossovers,
11. Any place where official traffic control devices prohibit stopping;

**B. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers.**

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1. In front of a public or private driveway,
2. Within fifteen (15) feet of fire hydrant,
3. Within twenty (20) feet of a crosswalk at an intersection,
4. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway,
5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted,
6. At any place where official traffic control devices prohibit standing;

C. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

1. Within fifty (50) feet of the nearest rail of a railroad crossing,
2. At any place where official traffic control devices prohibit parking,
3. Upon the outside or inside shoulder area of any designated interstate highway unless that action is necessitated by the mechanical failure or malfunction of the vehicle or the physical distress of the driver to an extent that the safety of the driver and others upon the highway would otherwise be impaired.

D. No person shall move a vehicle not lawfully under such person's control into any prohibited area or an unlawful distance from the curb. (Ord. 237-94 (part); prior code § 7-4-3)

\* See Section 41-6-103 UCA 1953

### **10.12.040 Parking not to obstruct traffic.**

No person shall park any vehicle upon any street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic, nor shall any person stop, stand or park a vehicle within any street or alley in such position as to block the driveway entrance to any abutting property. (Ord. 237-94 (part); prior code § 7-4-4)

### **10.12.050 Stopping or parking on roadway.**

No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practical to stop, park or so leave such vehicle off the roadway, but in every event an obstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of two hundred (200) feet in each direction upon such roadway.



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This section and Section 10.12.020 shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a roadway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (Ord. 237-94 (part): prior code § 7-4-5)

### **10.12.060 Motor vehicle left unattended--Requirements.**

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, placing the transmission in "park" or the gears in "low" setting the brakes thereon; and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the street. (Ord. 237-94 (part): prior code § 7-4-6)

### **10.12.070 Parked vehicle--Duty to display lights.**

A. Whenever a vehicle is lawfully parked upon a street or roadway during the hours between one-half hour after sunset and one-half hour before sunrise and there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such roadway, no lights need be displayed upon such parked vehicle.

B. Whenever is a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between one-half hour after sunset and one-half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such roadway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements:

at least one lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and the location of the lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

C. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. (Ord. 237-94 (part): prior code § 7-4-7)

### **10.12.080 Parking for certain purposes prohibited.**

No person shall park or operate a vehicle upon any roadway for the principal purpose of:

- A. Displaying such vehicle for sale;
- B. Greasing or repairing such vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising;
- D. The sale of foodstuffs or other merchandise in any business district. (Ord. 237-94 (part): prior code § 7-4-8)

### **10.12.090 All night parking prohibited.**

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No person shall park a vehicle on any street, or allow a vehicle to idle or remain thereon between the hours of twelve midnight and seven a.m. on any day during the period from November 15th through April 1st of the following year. (Ord. 237-94 (part): prior code § 7-4-9)

### **10.12.100 Stopping or parking--Prohibited adjacent to schools, on narrow streets or near hazardous places.**

A. The chief of police is authorized to erect signs indicating no parking in any of the following places:

1. Upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation;
2. Upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

B. When official signs are erected indicating no parking in any of the places specified in subsection A of this section as authorized herein, no person shall park a vehicle in any such designated place. (Ord. 237-94 (part): prior code § 7-4-10)

### **10.12.110 Parking heavy duty vehicles in residential zones regulated.**

A. The driver of a motor vehicle having a total gross weight, loaded or unloaded, in excess of fifty thousand (50,000) pounds, or having a total length in excess of twenty-four (24) feet from the most forward point of the vehicle or its load to the most rear point of the vehicle or its load, shall not park the vehicle or allow it to stand upon any city street located within a residential zone for longer than two hours.

B. In determining the total gross weight or total length as provided in subsection A of this section, the length or weight of a trailer connected or attached to or in tandem with the motor vehicle, shall also be included in making such determination. (Ord. 237-94 (part): prior code § 7-4-11)

### **10.12.120 Police officer authorized to move vehicle.**

A. Whenever any police officer finds a vehicle in violation of any provision of this section, such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the street or roadway.

B. Any police officer is authorized to remove or cause to be removed to a place of safety and unattended vehicle illegally left standing upon any street, roadway, bridge or causeway in such position or under such circumstances as to obstruct the normal movement of traffic.

C. Any police officer is authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a street or roadway when:

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1. Report has been made that such vehicle has been stolen or taken without the consent of its owner; or
2. The person or person in charge of such vehicles are unable to provide for its custody or removal; or
3. When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.

### **10.12.130 Evidence required on parking violation.**

The presence of any vehicle in or upon any public street in this city, parked in violation of the city ordinances regulating the parking of vehicles, shall be prima facie evidence that the person in whose name such vehicle is registered as owner, committed or authorized the commission of such violation. (Ord. 237-94 (part): prior code § 7-4-13)

### **10.12.140 Violation--Penalty.**

All violations to this chapter of the code shall be a Class B misdemeanor with no jury trials allowed and no jail time required.